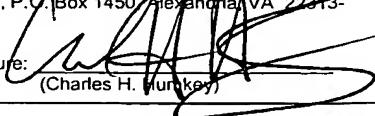


I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: April 24, 2009

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(Charles H. Mumkey)

Group Art Unit: 3775

Docket No.: SPINE 3.0-441 CONT CONT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Ralph et al.

Application No.: 10/667,034

: Group Art Unit: 3775

Filed: September 22, 2003

: Examiner: Shaffer, R. R.

For: POROUS INTERVERTEBRAL
DISTRACTION SPACERS

AMENDMENT

MS RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

In response to the Office Action dated October 27, 2008, please amend the above-identified U.S. patent application as follows: